

C 198—Summons with Notice, Supreme Court.
Personal or Substituted Service. 1-79

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62 WHITE STREET, NEW YORK, N. Y. 10013

Supreme Court of the State of New York
County of KINGS

ZHENBI YANG,

against

AHMED M GABALLA and RYDER TRUCK RENTAL
INC.,

Plaintiff(s)

Defendant(s)

Date filed:
Index No.

Plaintiff(s) designates
Kings

County as the place of trial

The basis of the venue is

Situs of Incident

Summons with Notice

Plaintiff(s) reside(s) at

County of New York

To the above named Defendant(s)

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded herein.

Dated, New York, New York
May 15, 2019

Defendant's Address:

Notice: The nature of this action is personal injuries.

The relief sought is

Steven Louros, Esq.
Attorney(s) for Plaintiff(s)
Office and Post Office Address
1261 Broadway, Suite 1100
New York, New York 10001
(212) 481-5275

Upon your failure to appear, judgment will be taken against you by default for the sum of \$
with interest from and the costs of this action.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
ZHENBI YANG,

Plaintiff,

-against-

AHMED M GABALLA and RYDER TRUCK RENTAL
INC.,

Defendants.
-----X

Index No.

**VERIFIED
COMPLAINT**

Plaintiff, by his attorney, STEVEN LOUROS, complaining of the
defendants alleges upon information and belief as follows:

1. That at all times hereinafter mentioned, plaintiff was and still is a
resident of the County, City and State of New York.

2. At all times hereinafter mentioned, the defendant Ryder Truck
Rental Inc. was a resident of the State of New York located in Henrietta, New
York.

3. The cause of action arose in Kings County.

4. That at all times hereinafter mentioned, the defendant Ahmed M
Gaballa operated a certain 2016 motor vehicle with license plate number
6938MH.

5. That at all times hereinafter mentioned, the defendant Ryder Truck
Rental Inc. owned the aforementioned 2016 motor vehicle with license plate
number 6938MH.

6. At all times hereinafter mentioned, the defendant Gaballa drove the aforesaid 2016 motor vehicle with the permission and consent of defendant Ryder Truck Rental Inc.

7. Upon information and belief, that at all times hereinafter mentioned, the Verrazano Bridge upper level near 101 Street in Kings County, in the State of New York, was and still is a public roadway.

8. On July 13, 2018, plaintiff was the driver of a certain 2018 Isuzu motor vehicle.

9. At the date aforesaid, the vehicle driven by plaintiff was on the Upper Level of the Verrazano Bridge near 101 Street in Kings County, New York.

10. At the date aforesaid, the defendant Gaballa was operating his said 2016 motor vehicle on the Upper level of the Verrazano Bridge near 101 Street in Kings County New York.

11. On the date aforesaid, the front of defendants' vehicle came into contact with the rear of plaintiff's vehicle.

12. The motor vehicle operated by Defendants was so carelessly and negligently operated that plaintiff was thrown violently causing the injuries and damages hereinafter alleged.

13. Said collision and the resulting damages and injuries to this plaintiff were caused solely by the negligence of the defendants, and no negligence of the plaintiff contributed thereto.

14. The defendants were negligent in that they operated their motor vehicle at a high and dangerous rate of speed; failed to have his motor vehicle under proper control; failed to reduce his speed; failed to look in the direction to observe plaintiff's vehicle; failed to slow down, or turn aside; failed to stop his vehicle to prevent hitting the rear of plaintiff's vehicle; failed to yield the right of way; failed to maintain a safe distance between the front of his vehicle and plaintiff's vehicle; failed to exercise due care under the circumstances; failed to make proper use of his brakes, steering and horn; failed to see that which was there to be seen; failed to obey street markings and traffic control devices; failed to repair and properly maintain the subject vehicle; failed to insure that the brakes, steering and horn were functioning properly; all in violation of the provisions of the Vehicle and Traffic Law of the State of New York and the traffic laws, rules and regulations of the City of New York.

15. That plaintiff sustained physical injuries so that he became sick, sore, lame and disabled; suffered, and still suffers and, upon information and belief, will continue to suffer great mental anguish and bodily pain; that plaintiff was

confined to bed and home for a lengthy period of time and was unable to attend to his usual duties.

16. That plaintiff has sustained a serious injury and an economic loss greater than the basic economic loss as defined in Section 5102 of the Insurance Law of the State of New York.

17. The plaintiff's said injuries and damages were caused by the negligence of the defendants, in the operation of their said motor vehicle in violation of the statutes of the State of New York and the Ordinances of the City of New York and without any fault or negligence of the plaintiff contributing thereto in any manner.

18. As a result of the foregoing, Plaintiff has been damaged in the sum exceeding the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

WHEREFORE, the plaintiff demands judgment against the defendants for damages in the sum exceeding the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with the legal fees, costs and disbursements of this action.

Dated: New York, New York
May 15, 2019

Yours, etc.,

Steven Louros, Esq.
Attorney for Plaintiff
1261 Broadway, Suite 1100
New York, New York 10001
(212) 481-5275

VERIFICATION


The undersigned, being an attorney duly admitted to practice law in the Courts of the State of New York, affirms that he is the attorney of record for the plaintiff, that he has read the foregoing Verified Complaint and knows the contents thereof, and that the same is true to his own knowledge, except as to those matters stated therein to be alleged on information and belief, and that as to those matters he believes it to be true.

The undersigned further states that the reason this affirmation is made by him and not the plaintiff is that the plaintiff resides outside of the county wherein the attorney for the plaintiff has his office.

The grounds of the undersigned's belief and the source of his information as to all matters not stated upon information and belief are based on the documents contained in the file.

The undersigned affirms that the foregoing statements are true under the penalty of perjury.

Dated: New York, New York
May 15, 2019



Steven Louros, Esq.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
ZHENBI YANG,

Plaintiff,

-against-

AHMED M GABALLA and RYDER TRUCK
RENTAL INC.,

Defendants.
-----X

PLEASE TAKE NOTICE, that pursuant to 22 NYCRR 130-1.1(a), the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, (1) the contentions contained in the annexed document are not frivolous and that (2) if the annexed document is an initiating pleading, (i) the matter was not obtained through illegal conduct, or that if it was, the attorney or other persons responsible for the illegal conduct are not participating in the matter or sharing in any fee earned therefrom and that (ii) if the matter involves potential claims for personal injury or wrongful death, the matter was not obtained in violation of 22 NYCRR 1200.41-a.

Dated: New York, New York
May 15, 2019

Yours, etc.,



Steven Louros, Esq.

SL/sl

INDEX NO.

YEAR 2019

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

ZHENBI YANG,

Plaintiff(s),

-against-

AHMED M GABALLA and RYDER TRUCK RENTAL INC.,

Defendant(s).

SUMMONS WITH NOTICE; VERIFIED COMPLAINT

Signature (Rule 130-1.1-a)

STEVEN LOUROS, ESQ.

Attorney for Plaintiff

Office and Post Office Address, Telephone Number

1261 Broadway, Suite 1100

New York, New York 10001

(212) 481-5275

COUNTY OF KINGS

Defendant.

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